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14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA
16 WESTERN DIVISION – LOS ANGELES
17

18 GIGANEWS, INC., a Texas corporation;
19 LIVEWIRE SERVICES, INC., a Nevada
corporation,

20 Plaintiffs,

21 v.

22 PERFECT 10, INC., a California
corporation; NORMAN ZADA, an
23 individual; and DOES 1-50, inclusive,

24 Defendants.
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Case No.: 2:17-cv-05075-AB (JPR)

**APPLICATION TO FILE
DOCUMENTS UNDER SEAL IN
CONNECTION WITH
SUPPLEMENTAL
MEMORANDUM OF LAW IN
SUPPORT OF MOTION TO
COMPEL PRODUCTION OF
DOCUMENTS AND FOR
PROTECTIVE ORDER**

Date: July 19, 2018
Time: 10:00 a.m.
Courtroom: 690, 6th Floor

Discovery Cut-off: July 27, 2018
Trial Date: January 15, 2019

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 NOTICE IS HEREBY GIVEN that in accordance with this District's Local
3 Rule 79-5.2.2(b) and the Court's Standing Orders, Plaintiffs Giganews, Inc. and
4 Livewire Services, Inc. hereby apply for an order permitting them to file the
5 unredacted Perfect 10, Inc. Financial Report December 31, 2014, Bates range P-
6 FIN009682-9715 under seal.

7 **REASONS SUPPORTING RELIEF REQUESTED**

8 On Monday, July 9, 2018, Giganews and Livewire filed a supplemental brief
9 on their motion to compel. Dkt. 46; 46-1. The filing included a copy of a Perfect 10
10 2014 financial report. Dkt. 46-1, Ex. A. The document itself bears no confidentiality
11 designation, and plaintiffs used the same document previously without restriction,
12 including in debtor examinations in 2016. *See* Declaration of Todd Gregorian
13 ("Gregorian Decl.") ¶ 4 Exs. A, B. Defendants did not raise any objection to the July
14 9 filing with plaintiffs directly. Instead, they filed a supplemental declaration on the
15 motion to compel on July 10, stating that they had designated the financial report
16 confidential under the protective order in the original copyright action. Plaintiffs
17 now move to seal the financial report based on defendants' designation.

18 **CONCLUSION**

19 For the foregoing reasons, Plaintiffs Giganews and Livewire respectfully
20 request that the Court order that Docket No. 46-1, Exhibit A, be filed under seal and
21 remove the current version from the public docket. Plaintiffs will provide a
22 replacement public version.

23 Dated: July 11, 2018

FENWICK & WEST LLP

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25 By: /s/ Todd R. Gregorian
Todd R. Gregorian

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27 Attorneys for Defendants
GIGANEWS, INC., and
28 LIVEWIRE SERVICES, INC.